



Date: 13th November 2018

Miss Gemma Samuel
TGVHydro Ltd
CRIC
Beaufort Street
Crickhowell
Powys
NP8 1SN

By email: gemma.s@tgvhydro.co.uk

Dear Gemma,

Acknowledgement of your application for hydroelectric-power scheme permission

**Application number: PAN-003648 and PAN-3649
Applicant: Ms Anita Ruhmer and Mr Rodney Dukes
Site: Nant Ffynnon-wen**

Thank you for your application for a new abstraction and impoundment licence for a hydroelectric-power scheme.

Please note: Whilst we have accepted your application as valid, it has not been allocated to a Permitting Officer at present. Your application will be allocated as soon as a Permitting Officer becomes available. A Permitting Officer will contact you once your application has been allocated.

Your formal application was made up of the following forms.

- **WRA: Applicant details and proposal outline**
- **WRD: Application for a new abstraction licence**
- **WRE: Application for a new impoundment licence**

The formal decision process for your applications for the licences started on 26/10/2018.

Your application needs to be advertised. We will do this for you by putting a notice in a local newspaper and on our website. You will need to pay our costs of putting the notice in a local newspaper, plus a £100 administration fee.

The statutory determination date for your application is 26/02/2019. If you are working towards a deadline preceding this date, you must notify us within 14 days of the date of this letter. We will make a decision on your applications for the licences by 26/02/2019, unless you agree in writing to extend this period, or we find that we need more information from you before we can make a decision.

You may be asked to provide further information to assist us during our determination of your application. Please provide this within the timescales defined within the request to minimise any delay on determination of your application.

Entitlement to Apply (Rights of Access)

Section 35 of the Water Resources Act 1991 states that an application shall not be entertained unless the applicant satisfies Natural Resources Wales ('NRW') that they have, or at the time when the proposed licence is to take effect, will have a right of access to land contiguous to the inland waters at that place and that they will continue to have such a right for a period of at least one year beginning with the date on which the proposed licence is to take effect.

The evidence of prospective rights of access you have provided is sufficient to demonstrate that you are in negotiations with the landowner to give you an entitlement to apply, meaning that we can continue with determination of your application. However, in order for the licence to be issued we must be satisfied that the right of access has been legally granted and is binding for the appropriate time period.

We will not accept a copy of a letter from the landholder as proof of a right of access. It must be something that creates or leads to a legal right or an interest and is legally binding. You must be able to prove that your right of access for the purpose of water abstraction continues for 12 months after any abstraction licence is issued, unless you only need the licence for a period of less than 12 months.

It is an offence under Section 206 of the Water Resources Act 1991 to furnish any information or make a statement which is known to be false or misleading, or to recklessly make any statement which is false or misleading. Enforcement action in line with Natural Resources Wales Enforcement and Sanctions Policy can be taken if it becomes evident that this offence has occurred.

If we cannot make a decision by the date shown above, or any later date you agree to in writing, you can appeal to the Planning Inspectorate. You can get a standard form for making an appeal from the address below:

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
Phone: 02920 823857

You must send the appeal form to the Planning Inspectorate at the address above, **within 28 days** of the date you received the form. In exceptional circumstances, the Planning Inspectorate can give you longer to make your appeal. In the form you must give the reasons for the appeal, and you must also send:

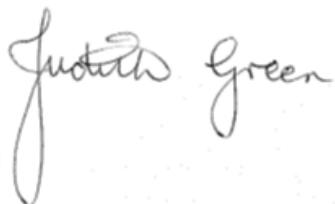
- a copy of the applications for the licences;
- copies of any information or report you sent to us with the application forms;
- this letter; and
- any other relevant correspondence.

You must also send us a copy of your appeal form.

You can withdraw an appeal at any time before the Planning Inspectorate makes a decision.

If you have any questions, please phone the Water Resources Permitting Team on 0300 065 4437

Yours sincerely

A handwritten signature in black ink that reads "Judith Green". The signature is written in a cursive style with a large initial 'J'.

Water Resources Permitting Team
Natural Resources Wales

Direct phone line: 0300 065 4437

Direct email: judith.green@cyfoethnaturiolcymru.gov.uk